

House File 2334 - Introduced

HOUSE FILE 2334
BY FORD

A BILL FOR

1 An Act relating to the criminal offense of sexual exploitation
2 of a minor, and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 728.12, Code 2009, is amended to read as
2 follows:

3 **728.12 Sexual exploitation of a minor.**

4 1. It shall be unlawful to attempt to or to employ, use,
5 persuade, induce, entice, coerce, solicit, knowingly permit,
6 or otherwise cause ~~or attempt to cause~~ a minor or a person
7 reasonably believed to be a minor to engage in a prohibited
8 sexual act or in the simulation of a prohibited sexual act. A
9 person must know, or have reason to know, or intend that the
10 act or simulated act may be photographed, filmed, or otherwise
11 preserved in a negative, slide, book, magazine, computer,
12 computer disk, or other print or visual medium, or be preserved
13 in an electronic, magnetic, or optical storage system, or
14 in any other type of storage system. A person who commits
15 a violation of this subsection commits a class "C" felony.
16 Notwithstanding section 902.9, the court may assess a fine of
17 not more than fifty thousand dollars for each offense under
18 this subsection in addition to imposing any other authorized
19 sentence.

20 2. It shall be unlawful to attempt to or to knowingly
21 promote any material visually depicting a live performance of a
22 minor or a person reasonably believed to be a minor engaging in
23 a prohibited sexual act or in the simulation of a prohibited
24 sexual act. A person who commits a violation of this
25 subsection commits a class "D" felony. Notwithstanding section
26 902.9, the court may assess a fine of not more than twenty-five
27 thousand dollars for each offense under this subsection in
28 addition to imposing any other authorized sentence.

29 3. It shall be unlawful to attempt to or to knowingly
30 purchase or possess a negative, slide, book, magazine,
31 computer, computer disk, or other print or visual medium, or
32 an electronic, magnetic, or optical storage system, or any
33 other type of storage system which depicts a minor or a person
34 reasonably believed to be a minor engaging in a prohibited
35 sexual act or the simulation of a prohibited sexual act. A

